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Polit. Pamphlets vol 138.

ALTERCATION.

{ Price One Shilling. }

24 Dec. 1778





ADVERTISEMENT.

CONSCIOUS, as the editor must be of the impropriety of publishing the debates, of the most virtuous, and respectable assembly in the universe ; and equally conscious of the danger to which he is exposed, by thus infringing one of its most notorious rules—yet he could not, however improper or however dangerous, resist the opportunity of defending enlightened genius, against the mean artifices of ministerial venality.

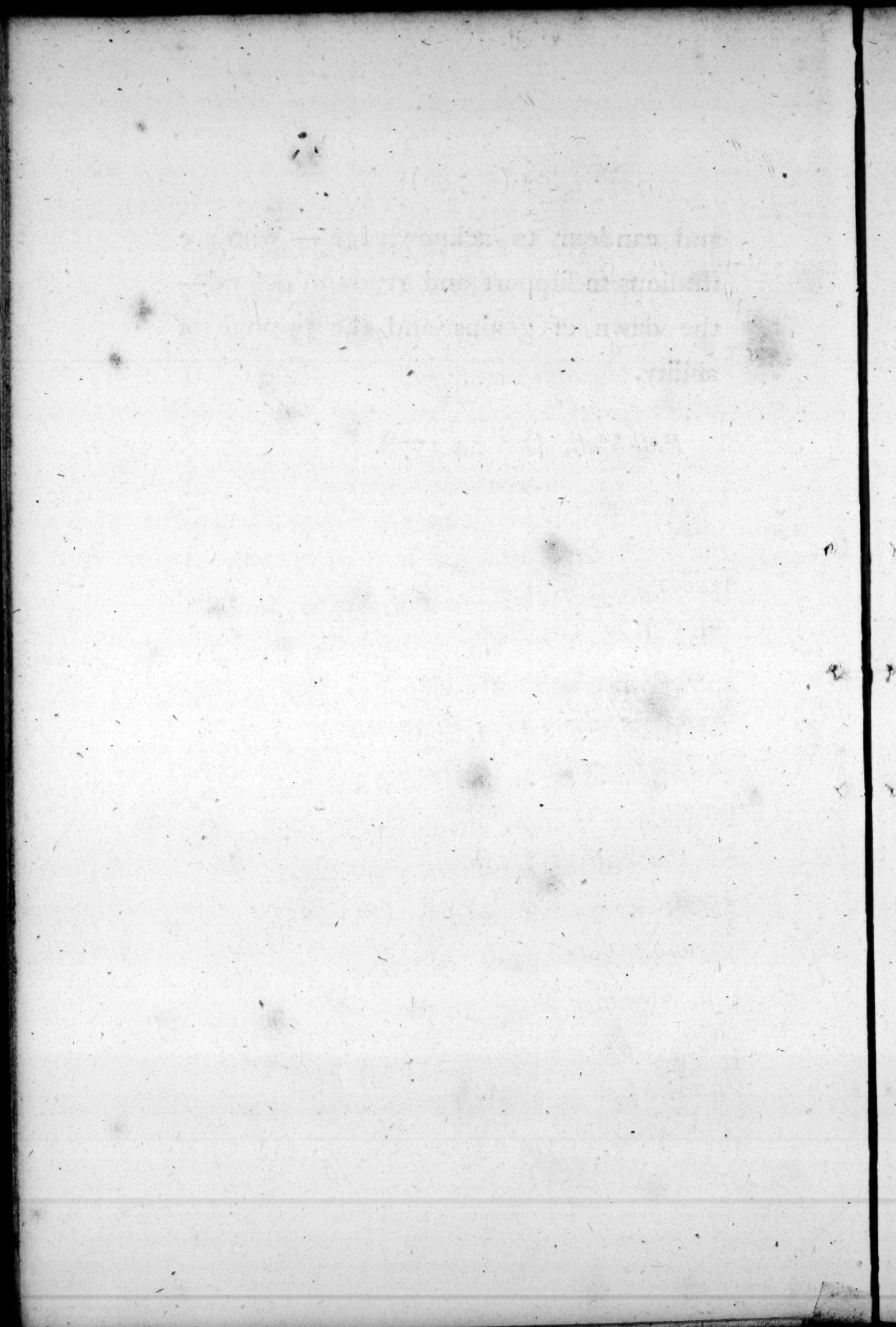
For some time past, the Public have been led to believe by those who endeavor, to support the present able and determined ministry, that the author of “ Anticipation,”

tion," had been received with open arms by administration—that the good Lord North had condescended to notice him—that the pious Earl of Sandwich had thought proper to visit him—that the pension list had been increased by the addition of his name—and that the boldness of opposition was checked by the keenness of his satire and the transcendency of his abilities—To evince that such is not by any means, the truth of the case, and to rescue the character of so ingenious a writer, from disgrace—the editor, of this pamphlet, has ventured, at no small risque, to publish the debate, which ensued in ———— on a motion to censure “Anticipation.”—This debate, strange as it may seem, was moved by those who enjoy the sweets of government; was strongly supported by the vociferating eloquence of the country gentlemen; and opposed only by the few, who have judgment to discern,
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and candour to acknowledge — who are
studious to support and ready to defend—
the dawn of genius and the promise of
ability.

Pall-Mall, Dec. 24 1778.



ALTERCATION.

THOUGH the motion of Mr. C——s
T——r respecting the pamphlet, in-
titled “Anticipation” failed of effect, yet,
the subject was, on a subsequent day, resu-
med; and that by those, who as the public
have been led to conceive, had received the
author, with every mark of attention and
respect.

Die Veneris 18 Decembris.

Mr. Sol——r G——l arose and complained to
the h——e, That a certain printed pamphlet,
that is to say a certain false, scandalous and

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malicious

malicious libel, intituled "ANTICIPATION" had been delivered to the members of that h—e, at the door *thereof*; and that great PART, *to wit*, the WHOLE of the matter contained in the *said* printed pamphlet had been printed and published in divers and very many public papers, that is to say, in a certain paper, commonly called the "Morning Post"—in a certain other paper commonly called the "Public Advertiser"—and in a certain other paper commonly called the "Gazetteer."

In consequence of this complaint the pamphlet was read; after which lord G—e Ger—e*, with that boldness which marks all HIS actions, spoke as follows:

* By this it should seem, that ad——n could not discover that the author, meant to flatter their abilities, and expose those of the opposition.

Sir,

Sir, the crime of publishing speeches which never have been made, and which by such means, are prevented from being spoken, is a crime too enormous to require, or admit, of any aggravation, and too dangerous to hope for any excuse from candor or from lenity. To read, or to hear this pamphlet, is sufficient for a full conviction of its pernicious tendency.—Nor, is it written with more confidence and insolence, than it is dispersed. Not content, Sir, with stigmatizing our debates, the author has industriously published his calumny at our very door;—the time has been when defamation skulked in secret, and calumny was only whispered or privately communicated; but this writer adds insult to injury, and at once ridicules and defies us. —I beg leave to move, therefore, that the h—e do censure this pamphlet

pamphlet as a “ malicious and scandalous libel, highly and injuriously reflecting upon the *wisdom* of debaté, and tending to create contempt and disrespect in the minds of the people—and—that the author may be ordered to attend at the bar of this honorable h—e.”

This being unanimously agreed to, the door-keeper was called in, and being shewn the pamphlet, was asked, if he had seen, or knew, the disperser? He informed the h—e, that he believed the person was then detained in one of the committee-rooms; upon which he was ordered to bring him to the bar.

The Hon. T—L——l taking notice, that the person was already in custody, said, with great gravity, “ that he should be
glad

glad to know by what authority it had been done.—Is it reasonable to punish first, and judge afterwards? Was this the practice of the areopagites?" — This called up Mr. Ch—s Jen—n, who was free to acknowledge that he was the sole cause of the detention — that he had detained the GENTLEMAN, in order to know the pleasure of the h—e; thinking it his duty to prevent so enormous an offender from escaping.

In a little time the door-keeper produced the culprit, who declared that his name was R—— T——, and his profession that of a barrister; owning with great frankness, that he was the author of the pamphlet in question; but by which, through the artifice of his bookseller, he had not acquired a single shilling; though, he was ready to confess, that he had mortgaged the house of lords for two hundred pounds. On being asked,
 who

who was the publisher? He answered, himself; which he afterwards explained, by saying, that as HE had conveyed it to the bookseller, he might be said, in the general acceptance of the term, to be the publisher:—being however much pressed to discover the publisher, he confessed that it was one Peter Grievous, of the Strand, bookseller; of whom he hoped the honorable h—e would be sparing in their punishment, lest HE should be afterwards questioned for the discovery, and a WARRANT be made SPECIAL against himself. He was then asked for the original manuscript, which he declared he had destroyed. On being questioned why he had destroyed it? he very candidly confessed, that he did not think it worthy of preservation.

It having been observed by some of the members, that the pamphlet had, in a great measure,

measure, CREPT into, the immaculate Morning, Post, Mr. T—l was, therefore interrogated by Mr. Sol—r G—e, “ who carried it thither ? ”—He answered himself ; being then demanded, what he paid for the insertion ? — he, answered, somewhat drily—that the editor, to his great astonishment, most readily received it, without a fee.—What (continued Mr. S——r) then you indemnify him against *auctions* do you?—Auctions Sir ! rejoined the other, what auctions ?—do you imagine Sir, that I disposed of my bantling through the medium of Mr. Smirk, the auctioneer ?

This having set the house in a roar, it was some time before the members, settled into order ; when that was effected, Mr. Dun—g, condescended to inform the house, that the delinquent had misunderstood Mr.

Sol—r,

Sol——r, who did not mean to impute so gross a mode of disposition, to Mr. Tic—l; the mistake arising from a provincial barbarism, under which, to his knowledge and sorrow, the Sol—r, had long *laboured*.—The *learned* gentleman (continued Mr. Dun—g) meant ACTIONS ;—those legal modes, with which he is so perfectly conversant; not auctions, with which (though he should seem continually to notice them) he seldom, if ever, interferes. For this information the delinquent, returned his most sincere thanks, begging at the same time, that Mr. Sol——r, would not for the future, presume to correct others, till he had *thoroughly corrected* himself.—Mr. Bur—e, observing, that that would be an ARDUOUS undertaking, and in his humble opinion, impossible to be effected—the Sol——r G——l, after bestowing on HIM, one of his most significant scowls, thought proper to set down:

After

After many questions equally pertinent had been put, Governor Jo——n, desired that Mr. Tic—l, might be asked “ Whether he had not been accustomed to intrude himself into the gallery, for the purpose of turning that honorable h—e into ridicule and contempt ?” At this question, many of the mem—s thought proper to express their disapprobation ; and the ingenious author, being ordered to withdraw, the following debate ensued upon the propriety of the question.

Hon. T. L——l. Sir, those who are entrusted by their country with the authority of legislation, ought most unquestionably to observe it, with the utmost circumspection ; lest they defeat their own endeavours, and invalidate by their own examples, their own decrees.

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There is no part, Sir, of our civil constitution more sacred—none that has been more revered, and that by those, who have trampled upon every other form of justice, who have wantoned in oppression without fear and without restraint — than that privilege, by which every one is exempted from the necessity of self-accusation ; by which he may refuse to answer any question, if asked with a view of drawing from him, the confession of an offence which cannot easily be proved. Whether this great privilege, Sir, is not violated ; whether the unalienable right of a free subject is not infringed, by the question put to the *barrister* at the *bar*, this honorable h—e must decide. The punishment to which an intruder is subject by the orders of this h—e, proves that his presence in the h—e is considered as a crime ; of which, as we have

no

no proof, a confession ought not to be extorted by an artful and insidious question, of which he may not discover the intention, or the consequence. Such treatment, Sir, is rather to be expected by slaves in the inquisition of Spain, than by any Englishman at the bar of this h—e ; an h—e instituted to preserve liberty, and to restrain injustice and oppression.

Mr. Will—s. Sir, I cannot but concur with the opinion of the honorable gentleman, that in requiring an answer to this question we shall expose a man to punishment, against whom we have no evidence but what is extorted from himself; and consequently no knowledge of his crime, upon which we can proceed to inflict censures or penalties, without the manifest infraction of our constitution. Think Sir,
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but for a moment, of Magna Charta, and the Bill of Rights—Think, Sir, of—but what signifies thinking?—It cannot be imagined Sir, that he intends to confess himself guilty of a crime of which no proof has been brought; or, that he will voluntarily subject himself to punishment. It must therefore, follow, that he is intrapped in his examination by an artifice, which I hope will never find any countenance in this house—and in my opinion, Sir, if any one deserves punishment, it is the *officious* member on the other side of the h—e who ought to be committed for his presumption: and were he brought before me as an alderman, I would commit him, without fear or hesitation.

Mr. Well—e El—s. Sir, it is not impossible that the honorable gentleman having not lately looked into the orders of the h—e,

h—e, may mistake the tendency of the question ; I therefore move that the order may be read.

The order being read, he proceeded.

It is evident, Sir, that by the order now read, the serjeant at arms, attending on this h—e, may take into custody all strangers that shall be found in the h—e, while we are assembled ; and that this order is not always put in practice, must be attributed to the lenity of the h—e. But that this order extends to past offences, and subjects any man to imprisonment for having been present in some former day, cannot be conceived ? For, how far may such a retrospect be extended ? Or, at what time after having intruded into the h—e, can any man presume to consider himself as exempt from the danger of imprisonment ?

Our

Our order, Sir, only decrees present punishment for present offences, and therefore, the question asked by the honorable gentleman may be insisted on without scruple, and answered without hazard. Let then the honorable gentlemen reserve their laudable zeal for our constitution, till it shall be invaded by more important occasions.

Mr. Dun—g. Sir, what victory the honorable gentleman who spoke last, imagines himself to have gained, or whence proceeds the wantonness of his exultation, I confess myself, unable to discover. The question, in my humble opinion, only relates to the interpretation of one of our own orders; and is not therefore, at least not in my apprehension, of the highest importance; nor can his success in a debate of so little consequence

f equence, entitle him to any great share of
 applause ; or produce in a person of his
 notorious abilities, any uncommon degree
 of satisfaction to himself.—But whatever
 may be the pleasure of the victory—it must
 at least be gained, before it can be cele-
 brated ; and it is by no means evident that
 he has yet any reason to assure himself of
 conquest. His interpretation, Sir, of the
 order, which he has so confidently laid be-
 fore the h—e, seems to me to have no founda-
 tion in reason, or, in justice : for, if it be
 an offence against the h—e to be present
 at our debates, and that offence be justly
 punishable, why should any man be ex-
 empt from a just censure, by an accidental
 escape ? Or, where is the difference be-
 tween this species of offence and any
 other—that this alone must be immediately
 punished, or, immediately obliterated ?—

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It is surely, Sir, more rational to believe, that this h—e may punish any breach of its orders, at a distant period—that, if our censure be once eluded, it may afterwards be enforced ; and, therefore, that the question put to the ingenious BARRISTER, ought not to be asked, because it cannot safely be answered.

Mr. F—x. Sir, I cannot but conceive that our order may extend its influence beyond the present moment, and that intrusion may be punished by the h—e on another day, than that on which it was committed. I am so far, Sir, from being of opinion, that to validate this order, the h—e must sit, without interruption, from the time of the offence, to that of the punishment ; that if the gentlemen in the gallery were to be taken into custody, I
should

should advise the serjeant to wait till the h——e should break up, and seize them as they should come out.

Mr. Rig——y. If any punishment were now intended, I should advise the gentlemen in the gallery to retire——but not to hide themselves like felons, or like men proscribed by parliament ; for as the power of seizing any man in the h——e is sufficient to secure us from intrusion—is sufficient to secure the house of THE LORD from being turned into a den of * * * *——there is no reason to extend it further.

Lord N——h. Whether the question be proper or not, it seems very unnecessary to debate ; because, however it be answered, it cannot be of great importance ; the man has already confessed himself to be the au-

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thor of the libel, and may, therefore, be punished without farther examination.—

That he is the real author, I am not indeed convinced by his assertion, with whatever confidence it was made ; for so far as his appearance enables me to judge, it is not probable that HE should be much versed in political enquiries, or that HE should engage in an undertaking like the present.

There appears in the pamphlet before us, a more extensive knowledge of FACTS, more artful reasoning, and a more elevated stile, than it is reasonable to expect from this man ; whom, without pretending to determine the limits of his capacity, or the compass of his knowledge, I am, for my own part, inclined to look upon as an agent to some other person of higher station, and greater accomplishments.

It

It is not uncommon, Sir, for gentlemen to exercise their abilities and employ their pens upon political questions, and when they have produced any thing, which their complaisance equally hinders them from owning and suppressing, they are known to procure some person, of inferior rank, to take upon him in public the character of author and stand the danger of prosecution ; contenting themselves with the applause and admiration of their chosen friends, whom they trust with the important secret, and with whom they sit and laugh at the conjectures of the public and the ignorance of administration.

This, Sir, is a frequent practice, not only with those who have no other employment, but as I have sufficient reasons to believe, among some gentlemen, who have seats in
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this h——e ; gentlemen whose abilities and knowledge qualify them to serve the public in characters much superior to that of lampooners.

Mr. F——x. Whether the man who confessed himself the author of the pamphlet has accused himself of what he did not commit, or has ingenuously and openly discovered the truth, is beyond my penetration absolutely to decide ; the frankness and unconcern with which he made the declaration, give it at least the appearance of truth ; nor do I discover any reason for doubting his sincerity. Is there any improbability in the nature of the fact, that should incline us to suspect his veracity ? Is there any apparent advantage to be gained by assuming a false character ? Neither of those circumstances can be produced against him,

him, and an assertion is to be admitted for its own sake, when there is nothing to invalidate it.

But the noble lord, Sir, appears to have a very particular reason for his doubts; a reason, which will, I hope, have no weight with any but himself. By denying the paper to this man, he gives room for conjecture and suspicion to range far and wide, and wanton with whatever characters he shall think proper subjects for his amusement. An author is now to be fought, and many diverting arguments may be brought by the dullest enquirer, for fixing it upon one man, or denying it to another.

The noble lord, Sir, has given us a bold specimen of this kind of wit, by insinuating that it is the production of some one of the
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members of this h——e ; a conjecture, of which I am not able to find the foundation, and therefore imagine, that raillery, rather than argument was intended. But let the noble lord recollect, that the chief excellency of raillery is politeness, to which he has surely paid little regard, in supposing that what has been unanimously condemned as a libel has one of those who condemned it for its author.

If I am particularly hinted at in this sagacious conjecture, I take this opportunity of declaring, that I am equally ignorant of the whole affair with any other gentleman of this h——e ; that I never saw the pamphlet till it was delivered to me at the door, nor the author till he appeared AT THE BAR. Having thus cleared myself from this aspersion, I declare it as my opinion, that every
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gentleman in the h——e can purge himself in the same manner ; for I cannot conceive, that any of them can have written a pamphlet of such a complection. There are, indeed, some passages which would not disgrace the greatest abilities, and some things true in themselves, tho' perhaps fallaciously applied ; and at least such an appearance of reasoning and knowledge, as sets the writer far above the level of the contemptible scribblers of ministerial vindication ; a herd of wretches whom neither information can enlighten, nor affluence elevate ; low drudges of scurrility, whose scandal is harmless for want of wit, and whose opposition is only troublesome from the pertinacity of stupidity.

Why such immense sums are distributed amongst these reptiles, it is scarce possible
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not to enquire ; for it cannot be imagined that those who pay them, expect any support from their abilities. If their patrons would read their writings, their salaries would be quickly withdrawn ; for a few pages would convince them, that they can neither attack nor defend ; neither raise reputation by their panegyric, nor destroy it by their defamation.

Lord N——b. I hope it is not expected, that the heat with which one class of our political writers have been attacked by the honorable gentleman who spoke last, should engage me to undertake their defence with the same earnestness. I have neither interest enough in the question to awaken my passions, nor curiosity or leisure sufficient for such an examination.

It

It is no part, Sir, of my employment, or amusement to compare their arguments, or to balance their abilities ; nor do I often read the papers of either party, except when I am informed by some who have more inclination to such studies than myself, that they have risen by some accident above their common level.

Yet that I may not appear intirely to desert the question, I cannot forbear to say, that I have never from these accidental inspections of their performances, discovered any reason to exalt the authors who write against administration, to an higher degree of reputation, than their opponents. That any of them deserve applause, I cannot assert ; and am afraid that all, which deserve to be preserved, of the writings on

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either side, may be contracted within a very narrow compass.

The writers for the opposition appear to me to be nothing more than the echoes of their predecessors ; or what is still more despicable, of themselves ; and to have produced nothing in the course of the last seven years, which had not been said seven years before.

I may perhaps, be thought by some gentlemen of each class, to speak contemptuously of their advocates, nor shall I think my own opinion the less just for such a censure ; for the reputation of controversial writers, arises generally from the prepossession of their readers in favour of the opinions which they endeavour to defend. Men easily admit the force of an argument,

ment, which tends to support notions, which it is their interest to diffuse; and readily find wit and spirit in a satire, when pointed at those characters which they desire to depress. But to the opposite party, and even to themselves, when their passions have subsided, and their interest is disunited from the question, those arguments appear only loud assertions, or empty sophistry; and that wit which was clamourously praised, discovers itself to be only impudence or low conceit,—the spirit evaporates, and the malignity only remains.

If we consider, Sir, what opposition of character is necessary to constitute a political writer, it will not be wondered that so few excel in that undertaking. He who would write well in politics, must at the same time have a compleat knowledge of
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the question, and time to digest his thoughts into method, and polish his stile into elegance ; which is little less than to say,—he must be at once a man of business, and a man of leisure : for political transactions are not easily understood, but by those who are engaged in them ; and the art of writing is not attainable without long practice and sedentary application.

Thus it happens that political writings are generally defective. For they are drawn up by men unacquainted with public business, and who can therefore only amuse their readers with fallacious recital, with specious sophistry, or an agreeable stile: or they are the hasty productions of busy negociators, who, though they cannot but excel the other class of writers in that which is most important, the knowledge of their subject,

subject, are yet rarely at leisure to display that knowledge to advantage, or add grace to solidity.

Writers of the latter sort appear but seldom, most of our political papers being the amusements of leisure, or the expedients of want.

Whether the pamphlet now before us, is the produce of ease or of necessity, I shall not determine; I have already offered my opinion, that the man who claims it, is not the author, nor do I discover any reason for changing my sentiment: the question is a question merely of conjecture; since neither I, nor the honorable gentleman attempt to offer any demonstrative proofs of our opinion. If he has any to produce in favour of his own notions, let him lay
them

them before you ; but let him always forbear to impute to me assertions, which I never uttered, and to beware of representing me as declaring that I believe this paper to be the composition of some member of this h—e.”

The point being thus cavassed, it was debated, whether this offence should be punished by parlia—y authority, or referred to the cognizance of Westminster Hall ; on which occasion the Att—y G—I with his usual composure, spoke as follows :

Sir, it is the duty of every part of the legislature, not only to preserve the whole system of our government unaltered and unimpaired, but to attend to the support of their own privileges. It is the privilege of this h—e, that we, and we only, are the judges of our own rights ; and we only, there.

therefore, can assign the proper punishment when they are presumptuously invaded. If we remit this offender, who has attempted to debase the h—e, in the opinion of the nation — to any inferior court,—we allow that court to determine by the punishment which shall be inflicted—the importance of this assembly, and the collective character of this h—e. It therefore concerns us, in regard to our own dignity, and to the privileges of our successors, that we retain the cognizance of this crime in our own hands—in which it is placed by perpetual prescription, and the very nature of our constitution.

It was then moved, that Richard Tic—I be committed to Newgate—On the question being put, it passed in the affirmative and
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the BARRISTER was accordingly tickled,
by a SPECIAL warrant from the speaker.

Actum est: Ilicet; Peristi. TER.

F I N I S.



